

REMARKS

Claims 1-25 are pending in the present application, of which claims 15-25 have been withdrawn from consideration. The Office Action rejected claims 1-14 under 35 U.S.C. §112, second paragraph, as being indefinite. The Office Action also rejected claims 1 and 4-14 under 35 U.S.C. §102(b) as being anticipated by Smith (U.S. Patent No. 4,534,132). The Office Action also rejected claims 1-14 under 35 U.S.C. §103(a) as being unpatentable over Smith.

Regarding the rejection of claims 1-14 under §112, second paragraph, Applicant has amended claims 1 and 8 to remove the phrase "may be" and positively recite the claimed elements. Accordingly, Applicant believes the rejections under §112, second paragraph have been overcome.

With respect to the rejections under §102(b) and §103(a), Applicant has amended claim 1 to clarify that the at least one spring includes a coil portion that is designed to move with the lid away from the frame when the lid is in the open position. Similarly, claim 8 has been amended to clarify that the spring includes a coil portion that is configured to rotate with the lid as it is moved from the closed position to the open position. As clearly shown in Figs. 2 and 4 of Smith, Smith teaches that the coil portion 73a of the spring 73 is secured by a fixed spindle 74a such that it is secured within the frame 15 and, thus, does not rotate with the lid.

Therefore, Smith cannot be said to teach or suggest that which is called for in claims 1 and 8. Accordingly, claims 2-7 and 9-14 are in condition for allowance at least pursuant to the chain of dependency.

Applicant has added new claims 26-29, of which claim 26 calls for a hatch having a lid and biasing spring configured to aid in moving the lid from a closed position covering a passage through a frame to an open position providing access to the passage, wherein the biasing spring is configured to rotate with the lid such that the passage is not obstructed by the spring. As clearly shown in Figs. 2 and 4 of Smith, the spring 73 is designed to remain

fixed within the frame such that it obstructs the passage formed by the frame when the lid is raised to the open position.

Accordingly, claim 26 is patentably distinct from the art of record. Furthermore, claims 27-29 are in condition for allowance at least pursuant to the chain of dependency.

The Examiner is invited to contact the undersigned at the telephone number appearing below if it would advance the prosecution of this Application.

The Examiner is hereby authorized to any fees arising as a result of this Amendment or any other communication from Deposit Account 17-0055.

Respectfully submitted

A handwritten signature in black ink, appearing to read "John D. Franzini", is written over a horizontal line.

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